

AMENDED IN ASSEMBLY APRIL 19, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1565**

**Introduced by Assembly Member Pavley**  
**(Coauthors: Assembly Members Dymally and Shirley Horton)**  
*(Coauthor: Senator Kuehl)*

February 22, 2005

---

~~An act to add Article 16.3 (commencing with Section 8375) to Chapter 2 of Part 6 of the Education Code, relating to child care. An act relating to child care.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1565, as amended, Pavley. Child care facilities: ~~star quality~~ rating system.

The California Child Day Care Act, administered by the State Department of Social Services, administered by the State Department of Education, provide licensure of child day care facilities, as defined. ~~The Child Care and Developmental Services Act, administered by the State Department of Education, provides that children up to 13 years of age are eligible, with certain requirements, for child care and development services.~~

~~This bill would require, if funds become available for purposes of this article, through appropriation in the annual Budget Act or in another statute, that the State Department of Education, in coordination with the State Department of Social Services, develop and implement declare that it is the intent of the Legislature to enact legislation that would establish a star quality rating system for licensed child day care facilities, as specified, who request the rating that would acknowledge and reward facilities for providing a higher standard and quality of care than established under the act.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. It is the intent of the Legislature to enact*  
2     *subsequent legislation that would establish a rating system for*  
3     *licensed child day care facilities in California that would*  
4     *acknowledge and reward facilities for providing a higher*  
5     *standard and quality of care than established under the*  
6     *California Child Day Care Act (Chapter 3.4 (commencing with*  
7     *Section 1596.70) of Division 2 of the Health and Safety Code).*  
8     *The rating system would do all of the following:*  
9     *(a) Rate each facility according to the facility's scores on one*  
10    *or more of the following:*  
11    *(1) The Early Childhood Environment Rating Scale.*  
12    *(2) The Infant and Toddler Environment Rating Scale.*  
13    *(3) The Family Day Care Rating Scale.*  
14    *(4) The School-Age Care Environment Rating Scale.*  
15    *(b) Rate each facility according to its adult-to-child ratio,*  
16    *group size, staff qualifications, staff employment stability,*  
17    *working conditions, and family and community involvement.*  
18    *(c) Recognize each facility that exceeds existing licensing*  
19    *standards required under the California Child Day Care Act*  
20    *(Chapter 3.4 (commencing with Section 1596.70) of Division 2 of*  
21    *the Health and Safety Code).*  
22    *(d) Require that a facility comply, at a minimum, with the*  
23    *requirements, including, but not limited to, the California Child*  
24    *Day Care Act (Chapter 3.4 (commencing with Section 1596.70)*  
25    *of Division 2 of the Health and Safety Code), and that, in order*  
26    *to receive a rating, a facility may not be on probation with any*  
27    *licensing entity.*  
28    ~~SECTION 1. Article 16.3 (commencing with Section 8375) is~~  
29    ~~added to Chapter 2 of Part 6 of the Education Code, to read:~~  
30  
31    ~~Article 16.3. Star Quality Rating System for Child Day Care~~  
32    ~~Facilities~~  
33  
34    ~~8375. (a) If funds become available for purposes of this~~  
35    ~~article, through appropriation in the annual Budget Act or in~~

1 another statute, the State Department of Education, in  
2 coordination with the State Department of Social Services, shall  
3 develop and implement a star quality rating system for child day  
4 care facilities that request the rating.

5 (b) For purposes of this article, “child day care facility” means  
6 a facility operating pursuant to this chapter or pursuant to the  
7 California Child Day Care Act (Chapter 3.4 (commencing with  
8 Section 1596.70) of Division 2 of the Health and Safety Code).

9 8375.1. The rating system shall do all of the following:

10 (a) Rate each facility according to the facility’s scores on one  
11 or more of the following:

12 (1) The Early Childhood Environment Rating Scale.

13 (2) The Infant/Toddler Environment Rating Scale.

14 (3) The Family Day Care Rating Scale.

15 (4) The School-Age Care Environment Rating Scale.

16 (b) Rate each facility according to its adult-to-child ratio,  
17 group size, staff qualifications, staff employment stability,  
18 working conditions, and family and community involvement.

19 (c) Recognize each facility that exceeds existing licensing  
20 standards required under the California Child Day Care Act  
21 (Chapter 3.4 (commencing with Section 1596.70) of Division 2  
22 of the Health and Safety Code).

23 (d) Require that a facility comply, at a minimum, with the  
24 requirements, including, but not limited to, licensure, of  
25 California Child Day Care Act (Chapter 3.4 (commencing with  
26 Section 1596.70) of Division 2 of the Health and Safety Code);  
27 and that, in order to receive a rating, a facility may not be on  
28 probation with any licensing entity.

29 8375.2. An evaluation of a provider for a rating shall include  
30 at least one onsite visit by a qualified evaluator who will review  
31 the facility for its compliance with licensing standards pursuant  
32 to the California Child Day Care Act (Chapter 3.4 (commencing  
33 with Section 1596.70) of Division 2 of the Health and Safety  
34 Code) and the facility’s ability to meet the standards of the rating  
35 requested by the facility.

36 8375.3. In implementing this article, the State Department of  
37 Education may contract with a qualified entity to coordinate the  
38 rating system and to provide evaluation services to child care  
39 providers who wish to participate in the rating system.

1     ~~8375.4. The State Department of Education may charge a fee,~~  
2 ~~to pay the cost of the program, to providers who choose to~~  
3 ~~participate in the rating system. The fee charged shall be~~  
4 ~~sufficient to compensate the State Department of Education, or~~  
5 ~~its contractors, or both, for the costs related to evaluating~~  
6 ~~providers and implementing this article. The fee shall not exceed~~  
7 ~~each provider's pro rata share of these costs.~~

8     ~~8375.5. A rating granted pursuant to this article shall be valid~~  
9 ~~for a period of three years. A provider who wishes to renew its~~  
10 ~~rating shall be subject to a new evaluation and fee pursuant to~~  
11 ~~this article.~~